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Jacobsville Neighborhood Soil Contamination PUBLIC HEARING

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Public Hearing
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JACOBSVILLE NEIGHBORHOOD SOIL CONTAMINATION

PUBLIC HEARING

WEDNESDAY, JUNE 24, 2009

1 MR. NOVAK: I'm Dave Novak. The Community
2 Involvement Coordinator from Chicago, EPA. My task is
3 to interact with you folks. Other than shoveling
4 dirt, that's all I have to do.

5 Mary Tierney is the project manager from the
6 EPA. She is responsible for the people turning dirt.
7 Getting the job done.

8 We're both available. In the fact sheet that
9 you've either gotten in the mail or picked up at the
10 table, our names, numbers, e-mails and everything are
11 there. So if you have any problems, questions or
12 concerns during the entire project, please give us a
13 call. We won't be out here doing the actual work
14 ourselves. We work with contractors, but that's a
15 little while down the line before we get to that
16 point.

17 The purpose of this meeting, before we come up
18 some of you may have gone through Operable Unit 1, the
19 immediate small 450 parcel Jacobsville area cleanup
20 already. You may know about that. We had a public
21 meeting requirement that before we put pen to paper
22 and sign the document that we call a record of
23 decision. We have to come out and present it to you,
24 get your comments and concerns. Then once we look at
25 those, digest them, then we actually finalize that

1 decision document.

2 Mary will go over all the technical details on
3 it. The cope of the project. The length of the
4 project. You won't see a heck of a lot of us out here
5 between Mary and I, but we will be on and off.

6 I'll work with the media. I'll work with you
7 folks. Be in the neighborhoods working with -- we're
8 going to do heavy neighborhood association cooperation
9 once we do get into the project. The mere scope and
10 size of it, close to 10,000 parcels, just says that's
11 the only way we're going to pull it off.

12 We need the cooperation of everybody here in
13 the room. If your neighbor is not here, remember
14 that. You nudge them. Tell them to pay attention.

15 Our biggest obstacle as we go forward on this,
16 and we've been working a while now on Operable Unit 1,
17 the small Jacobsville area. We still haven't got
18 agreements from a lot of those people to access their
19 property. We can't do a thing without written
20 permission. That's the biggest obstacle we face.
21 Trying to get 10,000 people to agree to let us on
22 their property is a monumental task. Thereby working
23 with the neighborhood associations.

24 Once we do get going, you'll see that the
25 neighborhood associations, we want to start and work

1 with one association; in other words, few at a time as
2 possible just for coordination purposes.

3 There is a method to our madness. There is a
4 time line involved. It's probably not as quick as
5 everybody thinks it's going to happen, but it's
6 eventually going to get there.

7 It took a while to get the contamination in
8 the ground. It's going to take a while, of course, to
9 get it out.

10 As we're going through the presentation,
11 there's quite a few slides on some interesting things.
12 Feel free to raise your hand, ask questions as it's
13 going on. There are other people here from the health
14 department, from the city, and various other
15 organizations here to answer your questions also.

16 A lot of talk on lead screening. That's an
17 important part. The health department will give you a
18 very quick briefing on that. What to do in the
19 interm.

20 One thing we don't want to cause is an alarm.
21 Holding this meeting and we're saying, Oh, My God,
22 it's 10,000 parcels. No real cause for alarm. Things
23 will be taken care of and there are methods that you
24 can use to keep the lead down and the arsenic and
25 things like that. So we'll touch on those briefly.

1 We had very, very good success with the media,
2 television, radio and the newspaper. Been very, very
3 cooperative with us and we continue hopefully to
4 continue that relationship with them.

5 If your neighbor is not here, tell them that
6 on Sunday morning -- we spent a good portion of
7 yesterday talking with the media. One of them was the
8 radio station WIKY where they're going to put on
9 Sunday morning a half hour program that they normally
10 do. Information program early in the morning, 6 or
11 6:30. It will be on all five of their stations.
12 WIKY, 93.5, 96, 107 and 107.5. That will be there.
13 We're talking about basically the same issues that
14 we're talking about here this morning.

15 So if they're not here, urge your neighbors to
16 listen. Listen yourself. A lot of good information
17 will be on there also.

18 We had good reports on the news last night.
19 The newspaper, again, has been very, very cooperative.

20 So we'll get into the meat and potatoes of the
21 thing. We'll go through about the first hour
22 explaining everything, answering your questions. The
23 second hour we want to hear from you. That's the
24 whole purpose of this is give you the up front and
25 then listen. Gripes, complaints, complements. You

1 don't like what we're doing, let us know about it.

2 That's where we pick up our knowledge of your
3 community and what's in the back of your mind.

4 So I'll turn it over to Mary Tierney now.
5 Again, as she's going through it, raise your hand, ask
6 your questions as we're going through. We will be
7 available after. If you don't feel comfortable
8 talking in front of a group or asking your question,
9 we'll all be available after and you can stop and talk
10 to us individually.

11 So, Mary, it is your show.

12 MS. TIERNEY: Thank you.

13 First of all I really want to thank you for
14 coming this morning. I realize that everyone has busy
15 lives and could be off doing other things or at home
16 reading the paper, drinking coffee or something. So I
17 really appreciate that you take the time to come here.

18 I know you're here for different reasons.
19 Some of you are here to get information and we want to
20 make sure that we fill you in on what's going on. If
21 you have questions, we want to make sure that your
22 questions are answered. So feel free to raise your
23 hand during the presentation and interrupt me. If you
24 have any comments, we're here to listen to those too.
25 That's what we're here for today. Let's get started.

1 What we're going to cover tonight, I'm going
2 to go over the expansion of the cleanup area. I'm
3 going to tell you about what EPA is recommending for
4 the cleanup. I'll go over the time line of the work.
5 We're also going to cover different steps you can take
6 to minimize your exposure to lead and arsenic because
7 this cleanup is going to take a while and you're going
8 to be living with it. So we want you to know what you
9 can do to control your risk.

10 Then we're going to go into discussions and
11 questions and comments. Like Dave was saying, this is
12 an opportunity to verbally give your comments. You
13 will be able to write comments if you don't verbally
14 give your comments today. So there are a couple of
15 different ways of doing it.

16 Also, during the comment period, this is being
17 recorded. So during the comment period we don't
18 respond. We just let you give your comment. We don't
19 answer your question. So if you do have a question,
20 try to get it in before then.

21 Also, before we take questions, there are a
22 couple of people from Vanderburgh County Health
23 Department here. Kelly England and Dwayne Caldwell.
24 They're going to talk a little bit about lead
25 poisoning, lead testing and what you can do to protect

1 yourself and reduce your risk.

2 Just to get you familiar with some names. I'm
3 Mary Tierney. I'm with EPA. Dave Novak just spoke.
4 He's with the community part of it.

5 Stacy Coburn is a co-worker of mine. She's
6 also an EPA Project Manager in the back here. She'll
7 be helping out.

8 Kevin Herron is with the state. He's with
9 Indiana Department of Environmental Management. So he
10 represents the IDEM here.

11 We're also working with the City of Evansville
12 including Caroline Rusk, Doug Ohning and Dona Bergman.

13 So these are some names that you might see in
14 the future.

15 I wanted to start out by addressing one
16 question I've got a number of times and that's, why do
17 you call it the Jacobsville site? And are you going
18 to continue to call it the Jacobsville site? We are
19 going to continue calling it the Jacobsville. When we
20 originally started studying the area, we found that
21 the facilities that we suspected are the source of the
22 contamination were in the Jacobsville neighborhood.
23 Also some of the highest levels of lead and arsenic
24 are in the Jacobsville neighborhood. That's the name
25 we chose.

1 Because the name is now in the data bases and
2 on all the documents and all the records, we sort of
3 stuck with it. So we're going to continue to call it
4 that even though we're expanding it.

5 So we did do additional sampling. We went out
6 beyond the original area and we found more lead and
7 arsenic. So we are expanding the areas to be cleaned
8 up or potentially cleaned up and areas on both sides
9 of the Lloyd Expressway are potentially effected.

10 Just to give you a quick lesson in a little
11 bit of jargon. What you'll hear the term is called is
12 OU, operable unit. It's just an acronym and it
13 really, it's the same as calling it area one or area
14 two or you could call it original area or expanded
15 area. You will see on maps and I'll use the term OU1
16 as the original smaller area. OU2 is the expanded
17 area.

18 This is the original study area. This is the
19 first area we'll be cleaning up. It's bounded on the
20 west by Mary Street. This is Iowa Street on the
21 north, Elliott Street on the east, and then Illinois
22 and Division on the south.

23 There are about 500 or so homes in here.
24 We're expecting about 350 will need to be cleaned up.

25 These are the new expanded boundaries. You

1 can still see OU1 in the center there, but you can see
2 that we had to expand it both to the north and south.

3 You'll also see this middle area that has TBD
4 on it. That's to be determined. We did collect
5 samples in that area. Just a handful though. They
6 were clean, but because we had such a small number of
7 samples we wanted to go back and collect some more,
8 make sure that that area did not need cleanup. So in
9 July and August we'll be out collecting more samples
10 in that area.

11 It's more probable than not, I think, that it
12 will end up being part of the cleanup.

13 You can see that's Diamond Avenue. So
14 generally it's bounded by Diamond Avenue, US 41, the
15 river, and Pigeon Creek on the west, and then this is
16 Veterans Memorial Parkway down here. It's four and a
17 half square miles or so. Has about 10,000 homes in
18 it.

19 This, in case you're familiar with the
20 neighborhood boundaries. This shows you where those
21 boundaries are. There are about 12 or 13
22 neighborhoods that will be at least partly effected.
23 So to the north you have Jacobsville, Star and Chain.
24 To the south you have Wheeler, Culver, Goosetown,
25 CCIA, Old Erie, Ballard, Bellemeade Payard Park, Akin

1 Park, Tepe Park and part of Glenwood.

2 This map is also in the back too if you want a
3 closer look. Also if your house or home is near one
4 of the edges of these boundaries, we have the data
5 base on a computer in the back. Afterwards if you
6 want to go to the back and have them type in your
7 address, we can tell you for sure whether you're
8 inside or outside. So if you have some question
9 whether or not you're included, we can look that up
10 for you.

11 Those again are the neighborhoods that are at
12 least partially effected.

13 One question you may have is, you know, how
14 did we draw these boundaries? How did we come up with
15 them?

16 This next slide, this is not all of the
17 sampling we did, but it gives you a glimpse into how
18 we came up with these boundaries. You can see yellow,
19 red and green dots. The green dots are the clean
20 samples. Yellow are a little bit higher levels of
21 lead, above cleanup level, and the red are the highest
22 levels of lead. Above the cleanup level.

23 If you look, you see a lot of green dots way
24 on the out-skirts of the area. We're doing this grid,
25 you know, systematic sampling. We did find a lot of

1 clean areas around here. This area, both the areas of
2 the OU2 you'll see a lot of green dots in them. It's
3 not all above clean up levels. What we did was we
4 were really conservative in drawing the boundaries.
5 We wanted to make sure we didn't inadvertently miss
6 someone. So we drew them very conservatively. The
7 idea is we're going to go yard by yard and sample and
8 figure out which ones are exactly are above cleanup
9 levels.

10 You can see the original area it has some of
11 the highest levels.

12 Like I said, we don't have the exact count of
13 the homes because some of them are divided into
14 different lots so you can count them as one lot all
15 together or you can count them as separate lots, but
16 generally it's about 9 or 10,000 homes. We're
17 estimating that 4,000 homes may need cleanup. That
18 may be on the high side. It may be less than that.
19 That number, that estimate is only based on about 400
20 samples total. So you can see it's a pretty small
21 sampling.

22 Cleanup of the expanded area will begin after
23 the original area is done. It's not that we're
24 waiting until the original area is done. We have a
25 lot of prep work to do in order to get ready to

1 cleanup. We're aiming for 2012. We won't be doing
2 any commercial properties. We will be doing day
3 cares, playgrounds, parks, if they are above cleanup
4 levels. Although we haven't found many at all.
5 Typically there's a lot of rebuilding in parks. So
6 the soil has already been moved around.

7 This is to give you a little bit of insight
8 into what is involved in the Superfund process. Just
9 so you know where we're at and what we're looking
10 forward to.

11 The first thing that happens is the site is
12 listed on the NPL. That's the National Priorities
13 List. Once it's listed, it becomes an official site
14 and we do a remedial investigation. So that's when we
15 study the problem and find out, you know, what is out
16 there, how much is out there, where it's at.

17 The feasibility study, that's engineering
18 study. That's when we look at our options. We see
19 what kind of treatment would work. You know, what
20 approaches would work. How much would they cost.
21 Would they be effective. So that's when we look at
22 that. Then the stage we're at right now is called the
23 proposed plan, public comment period. This is when we
24 come out to you and we say, look at our options. This
25 in our best judgment is what we recommend that be done

1 out there. This is when we need your comments and
2 your input.

3 The record of decision will be when we
4 officially select the remedy after we've considered
5 all the comments and reviewed everything. That will
6 be the official remedy selection.

7 Then before cleanup happens there are two
8 things that go on. Number one is remedial design.
9 That is, again, engineering documents. So this is not
10 exactly like building a bridge or building a building.
11 Like any construction project there's a lot of
12 pre-planning that goes in. We have to come up with
13 specifications. We come up with drawings for each
14 property and locate features. We figure out how many
15 tons of soil we can move, where we're going to move
16 it. This is the construction details that we put
17 together.

18 The other two things that happen for this
19 project during remedial design is, number one, we send
20 out access agreements to get your permission to access
21 your property.

22 Then the second part is this is when we do the
23 testing. So during the design is when we find out, we
24 figure out which yards are above cleanup levels. So
25 we send you the agreement. You say it's okay to come

1 to sample. We come to your yard to sample. We get
2 the results. We send you a letter saying, here are
3 your results. This was above cleanup level or this
4 wasn't above the cleanup level. That's when you find
5 out, you know, for sure whether or not your home needs
6 to be cleaned up.

7 The other stuff before we start cleanup is we
8 have to apply for funding. So every year before
9 construction starts I have to apply for funding. If
10 this is going to be funded by the government. So the
11 federal government pays for 90 percent. The state
12 government pays for ten percent. So we have to get
13 both sources of funding approved. Then once we have
14 the funding in place, then we can go forth with the
15 cleanup.

16 In case you're curious about where this might
17 have come from. It's not completely clear. A lot of
18 these facilities or all of the facilities have been
19 shutdown. A lot of them since the 1950's. So it's
20 not really easy to figure out exactly where all this
21 lead and arsenic came from. We've done some research
22 and these are four old foundries that we found in the
23 area. Blount Plow Works, Advance Stove Works, Sharpes
24 Shot Works and Newton-Kelsay. Sharpes Shot Works
25 manufactured lead shot for guns. In my mind I'm

1 thinking that that may be a big source of the lead.
2 Because they were manufacturing lead shot. There was
3 also an electroplating facility in the area which was
4 cleaned up.

5 In case you're curious about these old
6 facilities, Blount Plow Works is on Main Street right
7 here. I think it's by the Buehler's, where the
8 Buehler's is.

9 AUDIENCE: It's the Vectren facility there.

10 MS. TIERNEY: Okay. The Vectren facility.

11 Newton-Kelsay is also on Main Street. It's
12 near where the McDonald's is. Advanced Stove Works
13 was at the corner of Read and Division. I think
14 Bethel Brothers is nearby there. Sharpes Shot Works
15 was up here at Harriett and Virginia. I think there's
16 a Deaconess parking lot where it used to be.

17 So these facilities have been defuncted and
18 not operating for a long time. Lead doesn't degrade.
19 So the lead they may have omitted it still can be
20 found out there.

21 This is what I just went over.

22 AUDIENCE: Deaconess does not own that
23 property where the Sharpes Shot is. It's actually
24 diagonally from it.

25 MS. TIERNEY: So the Sharpes Shot Works is

1 diagonal from?

2 AUDIENCE: Yes. Deaconess does not own that
3 property.

4 MS. TIERNEY: Really. All right. That's good
5 to know because I've always wondered, you know, if
6 that information is accurate.

7 Again, lead and arsenic is what we're
8 finding. Those are the contaminates of concern. The
9 idea is that these old foundries had smokestacks.
10 They had no pollution controls on them.

11 So you have the admissions billing out and
12 being transported by the wind and settling in the
13 soil. Unless it's been washed away or the yard has
14 been regraded or the soil has been moved around, it
15 would still be there.

16 So lead is one of our main concerns because
17 it's the most widespread. We are seeing some arsenic
18 out there and it's not as widespread, but we'll be
19 cleaning it up at the same time.

20 AUDIENCE: Can you go back to Deaconess area
21 for just a moment. Andrea who's sitting here by me,
22 said she thinks there's two daycare centers very close
23 to there.

24 MS. TIERNEY: Okay. We should get the names
25 of those, and if you know the addresses. We have done

1 some samplings of daycares and schools and playgrounds
2 and parks, but we haven't sampled all of them. So, we
3 are going to be trying to prioritize, you know, the
4 sampling and all that, that would be a high priority.
5 So can you stop by and tell us the names afterwards?

6 AUDIENCE: I think so.

7 MS. TIERNEY: Okay. Thanks.

8 These are cleanup levels. These are numbers
9 that you will want to know when you get your results
10 in the mail. We will tell you again in the letter
11 what those numbers are, but this is what we are going
12 to be cleaning: Up to 400 parts per million for lead,
13 30 parts per million for arsenic. And so if your
14 property is sampled and you have 250 lead and 15
15 arsenic, you won't require cleanup. If the lead is
16 high and the arsenic is okay, you will require cleanup
17 and the other way around. If arsenic is high but the
18 lead is okay, it won't require cleanup. So if either
19 of those are exceeded, that means you need to be --
20 you need your yard to be cleaned up.

21 Just to let you know how these levels were
22 come up with. The level for lead is based on chance
23 or reducing the chance that you will have lead in your
24 blood because lead affects the central nervous system
25 and you don't want it ending up in your body. And

1 then for arsenic, the level was based on decreasing
2 your cancer risk. Arsenic is a carcinogen. That's
3 what we're concerned about with that. Lead is not a
4 carcinogen, so we are concerned with more central
5 nervous system.

6 Just to make sure you understand. This
7 cleanup, we're going to be in yards. We are concerned
8 with lead and arsenic in the soil and in the dust in
9 the yards. Once we clean this up, you know, that risk
10 will be reduced, but there are other sources of lead
11 that we want you to be aware of, but will not be part
12 of the cleanup.

13 Lead-based paint is in a lot of homes,
14 especially if it was built before the 1950s you will
15 find lead paint in homes. Especially when you're
16 doing remodeling and renovations in these older homes,
17 you are stirring up a lot of dust and a lot of lead
18 released with it into the air. And then we've all
19 heard about the toys in the past year or so with
20 lead-based paint that kids chew on. And then leaded
21 gasoline, even though it was phased out back in 1986,
22 you still see lead in urban areas from leaded gasoline
23 in soil. So these are other sources of lead I want
24 you to be aware of.

25 We're going to tell you, you know, what you

1 can do to reduce your exposure. The cleanup for the
2 Jacobsville site and expanded area will be addressing
3 yards only. We won't be going inside homes and
4 removing lead-based paint.

5 I want to tell you little bit about how we go
6 through and select a plan, and so you know that we do
7 put careful thought into this. We do compare it to
8 these nine criteria which I will go through. I'll try
9 to make this brief because this is rather boring.

10 These are the two bottom line criteria. The bottom
11 line is it has to be protective of human health and
12 the environment, and it has to comply with laws and
13 regulations.

14 Then the other five other criteria we take a
15 look at are the long-term effect of this, the
16 short-term effect of this; whether or not it reduces
17 the toxicity, mobility, implementability, which is
18 basically whether it's doable or not, and cost also.

19 This is what we're out here doing right now.
20 We are getting information from the State, and we're
21 getting your comments. So these will factor into the
22 final decision also.

23 MS. NOVACK: Back to statements you made about
24 yards. Even down in the OU1, the original area, a lot
25 of those have old sheds and stuff with soil floors in

1 them. I would think some of those airborne particles
2 are in there too. You all are not even going to test
3 those?

4 MS. TIERNEY: Inside a shed?

5 AUDIENCE: We're not talking one or two.
6 We're talking probably half the neighborhood down
7 there.

8 MS. TIERNEY: Really? They all have older
9 sheds back there?

10 MR. NOVACK: Yes.

11 MS. TIERNEY: I guess we'll have to take a
12 look at that. Generally we are not planning on moving
13 permanent structures. So we're not planning on going
14 beneath porches or decks or anything like that. So
15 I'd have to take a look at it, but generally we won't
16 be going inside.

17 MR. NOVACK: Because I see that as a concern.

18 MS. TIERNEY: They've been there a long time,
19 the sheds?

20 AUDIENCE: Yes.

21 MS. TIERNEY: They have dirt floors?

22 AUDIENCE: Yes.

23 MS. TIERNEY: All right. Well, we'll take a
24 look at it. You know, we haven't really gotten out
25 there yet, so I think we're going to come across a lot

1 of situations we didn't anticipate and we're just
2 going to have to figure it out, but we'll keep that in
3 mind.

4 Just to let you know what options we
5 considered. We looked at three different options of
6 what to do about this. One option is taking no
7 action. That's an option we have to look at in every
8 situation to compare other options to. The second
9 option is digging up the soil, excavating the soil,
10 hauling it off site, backfilling with clean fill and
11 restoring your property. Then the third option we
12 looked at was in-place treatment of the soils and then
13 restoration of the property. For this in-place
14 treatment, what that would involve is mixing in a safe
15 chemical additive. So mixing would happen right in
16 your hard. It would be a chemical additive that would
17 render the lead non-toxic. It would immobilize it,
18 and it wouldn't pose a risk. So those are the
19 alternatives we took a look at.

20 I'll go through these quickly. Human health
21 and the environment. We didn't feel as though taking
22 no action was a good idea. So we really took a look
23 at the other two more closely, the soil removal and
24 treatment. Both removal and treatment would comply
25 with laws and regulations.

1 The permanence question, we did have some
2 concerns about in-place treatment of soils. You know,
3 if you excavate it, dig it up, haul it away, you're
4 certain about the permanence there. If you mix
5 chemical additive into the soil, there's not really
6 long term data on that to tell us for sure that over
7 the long haul it's going to stay immobile, it's going
8 to stay non-toxic. So we had some question about
9 using soil treatment in terms of permanence.

10 Reducing toxic mobility. In this case,
11 excavating it does not address this criteria. If we
12 did in-place treatment, we would meet this criteria.
13 So in this case, the treatment meets it and the
14 excavation doesn't.

15 Short-term effectiveness. They both are
16 similar in this respect. Whenever you're digging up
17 toxic soil, there's some short-term risk, especially
18 to the workers while the soil is being excavated. So
19 the short-term effectiveness is about the same for the
20 two.

21 AUDIENCE: So while you're digging, you're
22 actually making it airborne again unless you enclosed
23 it. Right?

24 MS. TIERNEY: Right. Well, what we would be
25 doing is using a lot of water. The idea is to keep

1 the dust out and just get it on the truck, get it
2 covered and keep it damp.

3 So the doability, this is another criteria
4 where we had a little bit of problem with in-place
5 treatment. It's not really easy to, in a small space
6 or a residential yard to make sure that the treatment
7 or the mixing is really thorough. It poses some
8 challenges.

9 Cost, they're both high cost. Soil removal
10 will be at least 50 million. It will probably be more
11 than that. That's bottom figure. Soil treatment will
12 be at least 60 million, probably more than that.
13 These are the paper estimates we had for the cost, and
14 we don't have real world estimates, so the cost may be
15 different. Soil treatment is a little bit more
16 expensive.

17 So this is what we're recommending. We're
18 recommending the second option, which is excavating
19 the soil, putting in the trucks, hauling it away to a
20 landfill and disposing of it. Then we would backfill
21 the yard with clean fill, restore the property,
22 replace any bushes, make sure everything is back to
23 the original condition. I'll give you a little bit
24 more information about how it would look when that
25 happens.

1 So I want to give you a little bit of an idea
2 of how this would look if we end up doing this
3 cleanup. Also in-between now and the start of cleanup
4 you'll be getting a lot more information and we'll be
5 having more meetings and you'll have more chances to
6 ask questions.

7 But just to give you an idea of what this
8 would take. First what we would need to do is get
9 permission to access your yard. Then the next step
10 during the design is to go yard by yard and sample
11 your yard, and then send you the letter saying here
12 are your results. Once we figure out which exact
13 properties need to be cleaned up, then we have to come
14 up with the construction details about the property.
15 We do a diagram, a drawing of each property and locate
16 features and trees and bushes and swing sets. Then we
17 sit down with you. Right before the cleanup happens,
18 we sit down with you and go over it, and we tell you
19 what will be there and how long it will take. We go
20 over the features. We figure out where you want your
21 swing set temporarily stored; whether it can be stored
22 in your side yard or whether we need to take it off
23 site to store it temporarily. So we work out all
24 those details with you before we come onto your
25 property.

1 AUDIENCE: Again, you're going to be hauling
2 this to a landfill?

3 MS. TIERNEY: Right.

4 AUDIENCE: Is this going to be a local
5 landfill or?

6 MS. TIERNEY: It might. You know, when we get
7 to the --

8 AUDIENCE: Is this stuff going to be covered?
9 I'm concerned with, you're taking contaminated soil
10 and you're moving it. What's going to stop the
11 contamination from spreading?

12 MS. TIERNEY: That's a good question. We're
13 going to be really careful about choosing a landfill.
14 It's going to meet all the requirements. It's going
15 to have to be an approved landfill, at a well run
16 landfill, which is most of them nowadays. You know,
17 they're very careful about covering. Every single day
18 they have to cover.

19 AUDIENCE: Right. But I'm talking about like,
20 you know, how are the loads going to be covered from
21 the site to there, and once you put this on that
22 landfill, if you're not treating it, you know, what's
23 this area going to be used for after the landfill that
24 you put the contaminated soil on. Those are major
25 concerns.

1 MS. TIERNEY: Yes. I see what you mean.

2 The trucking of it, we're going to keep it
3 damp and it's going to be tarp covered. We're going
4 to minimize dust flying around or soil falling out.
5 We're also going to do regular street cleaning, so if
6 any soil gets on the wheels of the trucks we're going
7 to be cleaning them after that. The landfill, I don't
8 know if it will be local or not. You know, we don't
9 know where we're going to send it right now.

10 AUDIENCE: Where are you sending what you're
11 doing now?

12 MS. TIERNEY: We did 80 homes or so last year.
13 I was not running that project. I think they did send
14 it somewhere locally. I'm not quite sure where.

15 AUDIENCE: It went to Lobster Metals, which is
16 a local landfill on North St. Joe.

17 MS. TIERNEY: These landfills, typically you
18 can't use them for much in the future. Once they're a
19 landfill, that's typically what they're used for.
20 There are a lot of regulations in place now. They
21 have to monitor the landfill many years in the future.
22 So it is really well-controlled.

23 AUDIENCE: Greenbriar Park is a former
24 landfill here in Evansville. So you can't say that a
25 landfill is not going to be used for something else

1 later.

2 MS. TIERNEY: It's a park?

3 AUDIENCE: Yes.

4 MS. TIERNEY: Sometimes they are converted.
5 It depends on what kind of landfill it was and how
6 well-controlled it was. I'm not familiar with that.

7 MR. NOVAK: That's a whole new another program
8 within EPA. Now we're starting to work with landfills
9 like that in anticipation of what they can become
10 years later. Golf courses, recreational areas. And
11 there's controls put on there, no digging, no doing
12 this, no doing that. So there are plans in the long
13 run for a lot of these. Don't know what's in store
14 for what's coming up, but we do think of that up front
15 now where we didn't in the past.

16 MS. TIERNEY: The other part of the cleanup
17 when we sit down and go over a checklist with you. We
18 take a look at the shrubs, do an inventory of the
19 shrubs and plants and trees, and we show you which
20 ones need to be removed, which will need to be
21 replaced.

22 And then we have to clear the yards, we have
23 to move the swing set and take out any shrubs, trees
24 that need to be taken out. Then we dig up the soil.
25 That's when we transport it off site to an approved

1 landfill. Then we come back and backfill the yards
2 with clean soil. Then we restore the original
3 condition. So we seed the property. We come back and
4 water it for six weeks. We give you a list of shrubs
5 that can be replaced, and you can choose the type
6 shrub you want to put back in. Trees, our intent is
7 to keep the mature trees. So we're trying to minimize
8 the number of trees we take down. It won't be that
9 many because we're only going to be taking down trees
10 that are four inches in diameter or less. For the
11 mature trees, we're going to use a shovel to dig
12 around them.

13 AUDIENCE: How far down are you going to dig?

14 MS. TIERNEY: In this situation it'll be a
15 foot, foot and a half. We'll know for sure once we
16 collect the soil samples from the yard, but it won't
17 be that deep.

18 MR. NOVAK: When we do get to the restoration
19 process, we're going to work with local agencies,
20 arborists. The guys who work with trees and flowers
21 and shrubs. They will recommend what is best if you
22 want replacement. You don't have to put a tree back
23 in if we take one out; you don't have to put a bush
24 back in. That's entirely up to you. If you have 16,
25 you want 16, we're going to have these individuals

1 recommend what is best for you. You can have what you
2 originally had, but that will all be worked out when
3 we finally get to that stage.

4 AUDIENCE: Once you've gone down a foot, foot
5 and a half, it's known that just within a couple to a
6 few years later that the lead seeps right back up into
7 the soil where you didn't dig down far enough. I've
8 read reports of even 7 to 8 foot down; five years
9 later, there it is again.

10 MS. TIERNEY: I haven't read anything along
11 those lines.

12 AUDIENCE: I know that the membranes that you
13 can put down can help minimize that, but no one has
14 mentioned doing the membrane other than --

15 MS. TEIRNEY: I mean, we have studied the
16 area. We haven't encountered that. When we're
17 sampling, we're checking to see how far down the lead
18 goes. It hasn't gone farther than two feet below
19 ground, you know, in all the samples we've taken. So
20 I think in this case because it was air dispersion, it
21 landed on the top of the soil, and it hasn't worked
22 its way down very far. Lead doesn't move very much
23 compared to other contaminants.

24 So I think we're lucky in this case because
25 it's basically that first top two feet. We have done

1 deeper sampling, we just haven't found any.

2 MR. NOVAK: Maybe she'd be willing to talk to
3 us afterwards. We can get copies of those reports and
4 we can take a look at them.

5 MS. TIERNEY: Okay. The other part of
6 finishing up your yard, if you'd like we do sit down
7 with you after. We go through the checklist. You can
8 tell us what you're happy with, unhappy with, what
9 still needs to be done. And so we'll come back and
10 address anything. We also will have a year guarantee
11 on bushes and plants and trees. So if the trees don't
12 take within the year, we come back and replace them.
13 I think the way we plan it is that you can have up to
14 three replacements. But really our intent is to make
15 sure your yard is back to normal, and we're going to
16 do everything we can to make that happen.

17 We do, for a period of six months after, we're
18 going to be periodically going back and checking it,
19 you know, to make sure things have started to grow.

20 MR. NOVAK: And there will definitely be a cut
21 off after we go back and look that it becomes your
22 responsibility, but we will assist up to a certain
23 point. Anything dies up until that point it's
24 replaced. Anything that doesn't work out quite right
25 will be replaced. But then, again, be mindful that

1 there will be a definite cut off. You do the
2 watering, you do the maintenance.

3 MS. TIERNEY: Well we'll water for six weeks
4 to get things started. There are times of the year
5 when it's not useful to plant grass, so there might be
6 a lag time where we say, you know, we need to come
7 back in the spring or in the fall to plant it to make
8 sure it grows. We're going to do everything we can to
9 do everything as quickly as possible and to make sure
10 your yard is back to normal.

11 The other couple other things is the plan
12 timeline is to be on your yard for less than 10 days.
13 Typically it takes three to five days. We may have to
14 come back and plant the grass, but within five days we
15 should be in and out, off your property. You won't
16 have to move out during the cleanup. We might ask you
17 to use your side door for a couple of days or your
18 back door for a couple of days. We might ask you to
19 park on the street for a couple of days. So that will
20 all depend on the situation. You can work it out with
21 us and figure out what will work best.

22 MR. NOVAK: While the work is going on, the
23 actual workers themselves are going to be wearing
24 protective clothing. No alarm and no concern for the
25 individual in the house because their working with it

1 eight hours a day. They're right in it. Make no mind
2 that they're dressed up like they are. You can
3 continue your life as it goes on. They are taking
4 precautions to keep the dust and everything down.

5 MS. TIERNEY: I think I have touched on these
6 points already. Operable unit 1, the original area
7 will be cleaned up first. We expect to start that
8 late this year, and hoping to finish it by 2011, and
9 the cleanup of the expanded area will start in 2012.
10 There will be a lot of homes involved, and we're
11 thinking it will last a good 10 years to get
12 everything done.

13 Also, before 2012, it's not like we're
14 waiting, like I said, to start Operable unit 2. We
15 have to get all the access agreements. We have to get
16 all the design construction details in place and get
17 the funding in place. We'll be working on it during
18 the time.

19 MR. NOVAK: Projects will be overlapping.
20 We're not going to wait until 2012 to start OU2. That
21 will start, it's actually starting now. We're here
22 talking about it.

23 AUDIENCE: Is there public access to what
24 you've already sampled or not?

25 MS. TIERNEY: We have -- yes, there's a lot of

1 reports in the library and also online. So I'll give
2 you web address too. But right here in the library,
3 they have a CD with all the documents on it.

4 One other thing, too. I know the timing of
5 this and the slowness of it is really aggravating.
6 You might be wondering why are we telling you this
7 when it's not going to start. One reason is that we
8 do have sample results; we know it's out there and we
9 want you to know. We want you to know what the
10 samples results were and what you might be exposed to.

11 Also this is the time when we're making the
12 decision about whether to take no action, dig it up,
13 in-place treatment; so we want your comments right
14 now. Also there are a number of things you can do to
15 reduce your exposure and minimize your risk. And we
16 want to tell you about those now. It'll be awhile for
17 cleanup to happen. We know that's a difficult idea to
18 live with, but there are lots of things you can do to
19 manage your exposure to lead and be protected.

20 So we're going to have Kelly England and
21 Dwayne Caldwell talk about lead poisoning and the
22 things you can do. But right now the plan is to get
23 your comments. We'll take a look at the comments.
24 We'll publish the final remedy, cleanup plan in the
25 record decision. The counting period, like Dave said,

1 runs through July 10th.

2 AUDIENCE: Regarding the decision; will this
3 be a completely new one from the February 2008. Are
4 they being handled separately?

5 MS. TIERNEY: Right. We did put one out in
6 2008 for that original area. It'll be a brand-new
7 one.

8 AUDIENCE: Just as OU2?

9 MS. TIERNEY: Right. Yes.

10 AUDIENCE: Janice Laboda, I believe her name
11 was. Is she still affiliated with OU1?

12 MS. TIERNEY: No. She's in D.C. now. She
13 transferred.

14 MR. NOVAK: What you see is what you get.
15 We're here now. Kevin's on a different project.

16 MS. TIERNEY: I will be handling both of them.

17 AUDIENCE: Maybe you covered this, because I
18 came in late. But why has it taken the EPA so long to
19 get going on this? Because we got this information
20 years ago about the lead contamination and it seems
21 like nothing's happened for a number of years. I just
22 wondered why it has been such a delay. Is this a
23 political situation?

24 MS. TIERNEY: No, it's not. I've been on the
25 project five months. I'm not trying to point blame at

1 people in the past. The process does take awhile. We
2 had to do a lot of sampling. You saw that, I don't
3 know if you saw the sampling map. But we went out
4 repeatedly because the area kept expanding. So we had
5 to keep going back out and doing more sampling to try
6 to find the parameters, the extent of it. So it's a
7 slow process. It's slower than, you know, it seems
8 like it should be, but there's just a lot of studying
9 to do.

10 Another study that we did that took a little
11 while was called the Viability Study. That's where we
12 look at the lead on this particular site in this area
13 and we see how readily it's uptaken by the body. So
14 this is like lab test that goes on for several months.
15 We had to do that to make sure that the cleanup levels
16 were going to be protected for this specific type of
17 lead that's out here that the numbers would be safe.
18 So there's just a lot of things that go on that are
19 kind of annoying. But go ahead.

20 AUDIENCE: It seems like the EPA hasn't been
21 properly staffed.

22 MR. NOVAK: We have not what?

23 AUDIENCE: What?

24 MR. NOVAK: What did you say?

25 AUDIENCE: It doesn't seem like the EPA has

1 been properly staffed to do the job in the last 10
2 years.

3 MR. NOVAK: Well, we have. But in the last 10
4 years, sites like this have increased also. And the
5 people don't increase just because the project's
6 increased; we work harder. Both of you and the
7 gentleman up here, let me explain what's been going
8 on. He mentioned a gentleman called Kevin Turner. We
9 have various programs within EPA. Kevin Turner was
10 here on a removal, time-critical removal. Says the
11 levels are high enough to cause a critical concern in
12 the community with that lead.

13 So he got in here immediately, different
14 dollars, different program; still EPA, clean it up
15 now. What we're doing with OU1 and OU2, you saw that
16 big laundry list. Get it listed. Study it. Come up
17 with proposals to clean it up. Go through this entire
18 process, just this is taking about three months to get
19 these meetings completed.

20 So you think the wheels of the bureaucracy
21 move slow sometimes. I think we're doing really,
22 really good in spite of it. We've jumped from 400 all
23 the way up to 10,000, and that takes time to progress
24 through all of those.

25 AUDIENCE: I have another question while we're

1 on that. You showed the four founders. I've only
2 been around since '57, but my father was around a lot
3 longer. I know there were several foundries in the
4 area. Chrysler was here and all that. We all know
5 lead paint and everything else was there. My concern
6 is have we really identified all the sources, and how
7 far is this going to grow before it's done? You know,
8 because Chrysler was at the corner of Garvin and
9 Maxwell. There was an ammunition factory not a
10 quarter of a mile down from Diamond Fares. These are
11 all your expanded areas. Those are the ones I know
12 about. I'm sure there were more.

13 MR. NOVAK: We've got a bevy of attorneys and
14 everybody else that seek this exact same thing. They
15 may have been here, but did they contribute to this
16 problem that we're addressing. So there's a lot of
17 research going on and things like that. The process
18 itself, just doesn't happen. Money. That's a big
19 part. We're sharing this money with 10 other regions.
20 Let's see, what was the latest count? Well, close to
21 3,000 of similar sites across the United States all
22 looking for that limited dollar.

23 So just because we say it's going to happen by
24 2012, it may be 2013 because money's not there. And
25 absolutely as far as we're concerned, there's no

1 politics involved in what we are doing. I haven't had
2 any pressure, and I'm sure Mary hasn't either, to get
3 out here sooner, do this before we do that. It's all
4 in a pecking order. What's more important, what is
5 more hazardous? And again, that ranking plays a big
6 part in it. Not that we don't like to be here, but
7 there's only -- we're not going to raise any people,
8 absolutely not. Doesn't work that way.

9 Yes, ma'am?

10 AUDIENCE: So is there a way to tell possible
11 home purchasers, people who are going to be buying
12 homes, especially with children; is there a way to
13 tell them there's the potential of this happening?

14 When we bought our home, we were leaving a
15 home that was full of lead to have it remodeled.
16 Moved into a home; didn't know about the lead
17 contamination that was somewhat known about. We've
18 had lead poisoning in our children from our soil. The
19 rest of the house is fine. It's been tested. Soil
20 only.

21 Had we known that, why would we have moved
22 from a house with lead to a house with lead to have
23 another poisoning? That doesn't seem right. Seems
24 like this needs to be more public than it is. It's a
25 very hush -- and I think that home buyers need to know

1 about this.

2 By law, we're required to tell home buyers now
3 about this. No one is buying our home now. We're
4 facing foreclosure because of this. I think that it
5 would be fair to the public if it would be more
6 public.

7 The neighborhood I live in right now, they
8 don't know about this. Even though it came in the
9 mail, they don't know about this. They don't want to
10 know about this; they don't care to know about this.
11 But if they sell their home, the people who are buying
12 may. Those people with children may want to know
13 about this. I would have wanted to know about this.

14 It seems like it's only being given to the
15 people who seem more organized. Well, there are
16 people in neighborhoods that aren't organized, and
17 they need to know as much as everyone else.

18 MR. NOVAK: That's why we're trying now. And
19 I met with several of the -- again, that's my job;
20 come out and meet. I've got with the city. We've
21 gotten with the neighborhood associations. We told
22 them three years out: Hey, I'm going to be working
23 with you when we get to that.

24 And the cities are now getting smarter
25 themselves. We're all getting smarter. We're now

1 getting to the point where this stuff is going to
2 appear in official documents that, yes, there is lead
3 contamination in this home; there isn't, it's been
4 cleaned up; or it hasn't. And that is now becoming
5 publicly known.

6 And requirement, I don't know what Evansville
7 has got in store for that, but that's all part of the
8 process today that it was not in years gone by.

9 Now, why weren't we here sooner? Gentleman
10 back there asked that. We don't go around looking for
11 these things. Somebody has to tell us about it.

12 AUDIENCE: It wasn't a surprise that my soil
13 had contamination. It was a surprise to me, but it
14 wasn't a surprise to other people.

15 MR. NOVAK: Well, it was probably a surprise
16 to us too, because we have no clue. Dwayne can tell
17 you how it was discovered. They had to tell somebody
18 else and told somebody else, then we get involved. We
19 don't actively have the staff to go out and search
20 neighborhoods and try and find it. You let us know,
21 then we'll take care of the situation.

22 Somebody had a hand up in the back.

23 MS. TIERNEY: I know it's really important to
24 get this information out. It is going to be on the
25 shoulders of the seller to disclose information, and

1 we're going to try to educate everyone also. We're
2 going to maintain a list, probably at county level, of
3 the homes that are potentially contaminated, that have
4 been cleaned up, that have been sampled. We're going
5 to make the realtors aware of this. So right now we
6 just have an area that's potentially contaminated. We
7 don't have individual samples. So it's sort of hard
8 to say this particular property is for sure
9 contaminated or clean. We are going to be --

10 AUDIENCE: I mean, it is. It's been tested.

11 MR. NOVAK: Very good point.

12 AUDIENCE: We've had a realtor in Evansville
13 that won't touch my property right now because of the
14 levels.

15 MS. TIERNEY: So your house is contaminated?

16 AUDIENCE: Absolutely it is. I've had lead
17 poisoning from the soil. Dwayne is the one who tested
18 it for us.

19 MR. NOVAK: Now you also mentioned that some
20 of your neighbors don't read the information, they
21 don't care, they don't want to follow through.

22 AUDIENCE: But as soon they find out, they're
23 like, oh, my gosh, how do we find out about this? No
24 one told me this when I bought my house three weeks
25 ago. I mean, someone -- there needs to be something

1 that is telling people who are buying homes right now,
2 be aware that the potential is there. If you have
3 small children especially. It's not just a political
4 game. I mean, I have child who has had issues because
5 this of this now. We were trying to do what was right
6 by our other home with the lead. Well, now -- like I
7 said, there was no surprise. People around us were
8 not surprised. They said, oh, it's been known that
9 this area has been contaminated for however long. Why
10 wasn't that disclosed in a home-buying situation?
11 Legally we're bound to that now.

12 MS. TIERNEY: Yes. It does sound like your
13 seller should have let you know.

14 AUDIENCE: I've asked them. We've talked to
15 them again. They had no idea themselves. They had
16 only owned the home for a short amount of time with no
17 children.

18 MS. TIERNEY: Sounds like neighbors knew
19 about?

20 AUDIENCE: The neighborhood itself, you know,
21 people that we've talked to through other clinics.
22 Even our own personal doctor said, yes, that area's
23 been known to have high lead levels from time to time.
24 It's just what you get when you live downtown.

25 MS. TIERNEY: I am really sorry about that. I

1 understand that's a difficult situation.

2 AUDIENCE: But then there's still homes for
3 sale in my neighborhood that people aren't going to
4 know unless I personally say, everybody looking at
5 this house, be aware, be aware. Because no one is
6 willing to step up and do that part now.

7 MS. TIERNEY: If you can think of any ideas
8 about how we can get to those people, you know, that
9 don't know the information, you know, please let us
10 know. I think that one thing we could think about
11 doing is contacting the realtors and at least letting
12 them -- make sure that they're aware of this area.

13 MR. NOVAK: We'll get to you in just a second.
14 You want to add to that? She's with the health
15 department.

16 MS. ENGLAND: I just wanted to say, legally a
17 seller does not have to disclose lead unless it's a
18 known lead hazard. It's been tested, it's known, they
19 have had personally had that property tested and
20 results are on paper. You know, I bought an old house
21 and the seller just marked "no known lead hazards."
22 But it was built in 1902, so I know there's lead
23 hazards there. That's one of the problems, it's a
24 legal thing, that unless you had that property tested.
25 People don't want to test because I don't want to know

1 because I don't won't to have disclose that going
2 forward.

3 AUDIENCE: Ignorance is bliss.

4 AUDIENCE: Exactly. And that's why some
5 things we put into place to let potential people know
6 that they haven't had it tested because they're not
7 legally bound to have it tested. But we all know now
8 that this whole area is contaminated. I mean, it is
9 somewhat common knowledge now, but people are still
10 not -- if someone's moving in from an area that has no
11 idea about this like we did. We had no idea that
12 downtown Evansville was lead contaminated. We had no
13 idea.

14 MR. NOVAK: This is something that we as EPA
15 can't really get into because we work with the
16 environment. That's a separate issue. That we would
17 not. Agency somewhere and communities can address it,
18 but we don't.

19 MS. TIERNEY: We do need to get the
20 information out of there.

21 AUDIENCE: You identified those four
22 businesses that are partly the cause for the problem.
23 Did they have any responsibility with the cleanup?

24 MR. NOVAK: If we could find them.

25 MS. TIERNEY: They're all out of business, no

1 longer operating. If they still were in business, we
2 would be going to them and saying, look you caused
3 this contamination.

4 AUDIENCE: Part of the problem then was that
5 the environmental protection wasn't as good back in
6 the 50s as it is now.

7 MS. TIERNEY: Right. Exactly. Yes. That's
8 when everything kind of got out of control and how we
9 end up with sites like this.

10 AUDIENCE: Now the government has to come
11 along and pay for it.

12 MR. NOVAK: There used to be, and the whole
13 program where we got the moniker Super Fund. When it
14 was originally devised, petroleum and chemical
15 industries paid a tax. Went into this big purse, the
16 Super Fund was to take care of all of them. Every so
17 often it had to be renewed, and throughout the years
18 -- we're only 35 years old. Throughout the years, it
19 didn't get renewed. So the purse dwindled. That's
20 where the problem comes in. We have to all fight.
21 All the regions have to fight. Mary and her 2,000,
22 3,000, 4,000 counterparts around the country have to
23 fight for the same dog. Right now the fund is working
24 off of general tax revenue. We all know that's got to
25 cover how many different programs that the government

1 runs. Maybe we'll eventually get that fund back, but
2 right now we don't have it. We do go after extensive
3 research on former owners. If they're viable, if
4 they've got a penny in their pocket, we'll try and get
5 it. We're almost as bad as IRS. But we do extensive
6 research to try and reclaim the dollar. Like Mary
7 said, these four, out of business, have no clue where
8 they're at. Somebody has got to pay for it. Here we
9 are.

10 MS. TIERNEY: And to your point, too, maybe
11 there were other facilities that we're not aware of.

12 AUDIENCE: I am almost positive that's why I
13 brought it up. I currently have a small site that you
14 all are cleaning up that somebody is paying for. I am
15 little close to this.

16 MS. TIERNEY: Right. So you know how that
17 works.

18 AUDIENCE: Yes.

19 MS. TIERNEY: Yes. If you to, after the
20 meeting, point out the locations of those facilities,
21 I'll check to see if we looked into it. The good
22 thing about it is even if we never know exactly where
23 it came from, we've done really thorough sampling. So
24 we know it's in this area; it doesn't extend beyond
25 it.

1 AUDIENCE: Mary, you may go back to that map,
2 coming off a point that you just made about sampling
3 and how far out you went. You went extra far from
4 where you really found any lead so that rest assured
5 you're outside the boundary, even those inside. You
6 might want to just to expound upon that a bit.

7 MS. TIERNEY: This one right here. You can
8 see how far out we went. You can see they're all
9 green. They're all green dots. We really made sure
10 we've covered a really big area and that we know
11 exactly where it's at. And you can see that, you
12 know, this is what would happen when you're talking
13 wind dispersion. You get the facilities in this area
14 over here, you get the northwest, southeast trade
15 winds. That's the kind of pattern you get.

16 The other thing too to reiterate is there are
17 a lot of green dots, even within these boundaries. So
18 not every single place is contaminated. In part
19 that's due to people regrading their lawn and turning
20 over soil. Part is due to nature of wind dispersion
21 and how unpredictable it is. So it might land in one
22 place, you know, and the other place is fine.

23 AUDIENCE: When you sample, how far down are
24 you going?

25 MS. TIERNEY: I think we went at least five

1 feet, maybe more. So that was during the study part.
2 And we found out that it's no deeper than two feet.
3 So that's why when we go out and sample your lawns
4 now, we won't be going down as far.

5 AUDIENCE: How many homes have you tested in
6 North Lincoln Park area?

7 MS. TIERNEY: I don't know the exact number.
8 I could find out for you. In this entire expanded
9 area, we tested about 420. So, you know, maybe around
10 30 or so.

11 MR. NOVAK: That was just our initial
12 look-see.

13 AUDIENCE: There was another map there that I
14 think showed it a little better.

15 MR. NOVAK: That doesn't have the testing
16 spots on it.

17 AUDIENCE: You guys mentioned in OU2, you're
18 not going to be cleaning up any commercial properties.
19 I know commercial clients had requests for access to
20 their property. Are you sampling, did you sample
21 those commercial properties as part of making your
22 boundaries?

23 MS. TIERNEY: We didn't typically sample
24 commercial properties. We did send out access
25 agreements, and in those cases we didn't know for sure

1 whether it was commercial or industrial or
2 residential.

3 AUDIENCE: Is was just a mass mailing for all
4 addresses?

5 MS. TIERNEY: Right. Yes.

6 AUDIENCE: I just want to be clear. I'm not
7 here to criticize you. I think it's urgent for us to
8 take more interest in U.S. Congress budget. We can
9 spend a trillion dollars to occupy Iraq. We can spend
10 billions and billions and billions on new weapons, but
11 we can't take care of our own people.

12 MR. NOVAK: Something we can't address, but
13 you can in other avenues.

14 AUDIENCE: Once comments are collected, you
15 said that will go into the overall decision process in
16 terms of which remedial steps will be taken?

17 MS. TIERNEY: Right. Yes.

18 AUDIENCE: I take it that will -- the
19 responses to those comments will also be made public
20 or forwarded to the record of the system?

21 MS. TIERNEY: Exactly. Yes.

22 AUDIENCE: Then that information will be made
23 available to the depository?

24 MS. TIERNEY: Yes.

25 AUDIENCE: Will those comments be given great

1 weight or just -- how will they be weighed in terms of
2 comments that you received on these meetings?

3 MS. TIERNEY: You know what, it's input from
4 the community is one of the nine criteria. We have
5 two bottom-line criteria are protection of human
6 health and the environment and the compliance with
7 laws. So there are other things to balance against.
8 We want your input to see if you can modify the remedy
9 or to see if there is -- if people are completely
10 against it.

11 In this particular case, we're only looking at
12 three options. One is no action; then we have
13 in-place treatment; and excavating soil. So there's
14 not much of a variety. Other sites, if you had 7 or 8
15 alternatives, there would be more of a chance that we
16 would change the alternative or pick another one or
17 something. In this case there's not a whole lot of
18 variety. Not a lot of options. We take your comments
19 really seriously, but they are just one of nine
20 criteria. We don't have a whole lot to choose from in
21 in this case.

22 MR. NOVAK: If you've got a silver bullet out
23 there that you think would work, let us know about it.
24 We'll send it to our research people. They'll take a
25 look at it. Not saying it'll be used here, but

1 there's always room for improvement. So if you've got
2 something like that, let us know. We'll pass it along
3 and we can help somebody else maybe someday.

4 The health department has got a few things
5 they'd like to say about lead. Before we get to that,
6 this is up here for a reason. There's a variety of
7 different ways that we can communicate with you and
8 want to communicate. We've got everybody's fax and
9 phone number.

10 Starting at the top, that's me. My fax
11 number, e-mail, Mary's e-mail. You can go to the
12 website. If you don't want to write it down, go to
13 the website, put your comments right here. There's
14 the website, background information. That same
15 information is in the library. The library has got
16 more than here because obviously the website is a
17 little bit restricted.

18 We started up list serve. Go there and in
19 your regular e-mail on the web, put this in, and
20 that's also in your fact sheet. Join up. What that's
21 going to do is you're going to get the first word when
22 something else happens. We come up on the record of
23 decision, it'll go there. You'll get it
24 electronically. You won't have to wait until we
25 publish another fact sheet.

1 And then the toll-free number. If you have
2 any questions or concerns, something that's bugging
3 you, don't hesitate to give us a call. We do check
4 that. We take down your comments and concerns, and
5 we'll eventually get back to you. Not long term. We
6 plan on doing it rather quickly.

7 So a variety of different ways that we are
8 going to get the information out again. Working with
9 neighborhood associations, the media, and any way that
10 we can get the word out. We appreciate your help. As
11 much as you want to get the area cleaned up, so do we.

12 All right. Health department.

13 MR. CALDWELL: You indicated why it takes so
14 long. There's many reasons for that. One of the
15 things that the residents can do right now to help
16 speed up the process is to cooperate, and that means
17 sign access agreements. Because a project can't move
18 forward without property access. We're not police
19 staked. We can't just move in and do what we want to
20 and then go out. We are a democracy and most people
21 prefer to have the government stay out of their lives
22 and out of their properties. So everyone needs talk
23 to their neighbors and get cooperation because the
24 projects' movement from here on is going to be more
25 dependant upon participation and voluntary access to

1 property. That will be very important at this point
2 to spread the word in that fashion to keep it going,
3 we need the access.

4 MR. NOVAK: It's not costing anything out of
5 your pocket or your neighbors' pocket. Just to let
6 you know that, each property goes into double digits
7 of thousands of dollars to clean up. So it's not
8 cheap. Want to do it yourself, do it. But I ain't
9 got the money to do that myself. Let us do it. Bug
10 your neighbor. Tell them, hey, let's get together on
11 this. Let's have a clean neighborhood. When the
12 access agreements do come out, have them sign them and
13 get them back. Quicker we get them back, the quicker
14 the project can move along.

15 MS. TIERNEY: If you do know of people who
16 didn't get this mailing, that means we don't have
17 their address, and we really need to get their
18 address. So if you could have them call the toll-free
19 number, leave their address or send us an e-mail. We
20 want to make sure we get everyone, and we know we
21 haven't.

22 One other thing too. Someone pointed out
23 yesterday that this list serve address is different
24 than what you see in that mailer or fact sheet. So
25 this says "join-jacobsville" and the fact sheet says

1 "subscribe-jacobsville". I'm not quite sure which is
2 right one. What I would say would be try both, and
3 you'll probably get an error message for one, I would
4 think. But sorry about that.

5 MR. NOVAK: That's my fault. I did this and I
6 did that. So blame me.

7 MS. TIERNEY: So you think it's probably
8 "subscribe"?

9 MR. NOVAK: I think it's "join". But like
10 Mary said, try them both. See if they work. I didn't
11 notice that.

12 MS. TIERNEY: A gentleman pointed that out.

13 MR. NOVAK: What we did, we sent out close to
14 10,000 of these. Already we got about a thousand
15 back. People moved, wrong address, something. So we
16 have a very big problem communicating this way. We
17 can't reach out and transcend. I bet you 50 percent,
18 75 percent of what already came back, people have
19 moved already. So that's going to be our biggest
20 problem. New neighbors move in next to you, give them
21 that number, have them call. Get them on the list.
22 We need your cooperation.

23 AUDIENCE: Have there ever been any
24 environmental injustice issues that you could speak to
25 or give an example where there were environmental

1 injustice concerns, given that these communities,
2 until low-income as well as people of color, and is
3 that a game -- I don't see this as one of the
4 criteria, but Environmental Justice Bureau of the U.S.
5 EPA. To what extent are those kinds of issues looked
6 at, Super Fund site such as this, community impact
7 assessments or whatever it might call for. Could you
8 speak to any examples where that comes into play?

9 MR. NOVAK: Every site gets looked at before
10 we come out publicly. In the background,
11 environmental justice considerations are looked at.
12 They are known and they are in the documentation, but
13 then Mary can tell you a little bit -- I'm hopeful
14 that she can tell you a little bit better.
15 Minneapolis, large site. We've got, I think it's lead
16 and arsenic up there also. Big environmental justice
17 issues, and it does affect the project. I can't tell
18 you point by point how it does, but every site is
19 investigated for EJ issues. Big part of the program.

20 MS. TIERNEY: Right. We did look into it for
21 this site too. It does qualify as an environmental
22 justice site. What that means, you know, for those of
23 you who are not familiar with it, is that the
24 demographics and the number of facilities, the amount
25 of pollution are such that it shows high number of

1 low-income, high number of minorities, high number of
2 industrial facilities and emissions and all that. So
3 it's seen as sort of an area that kind of is overly
4 burdened by environmental concerns. So that is looked
5 into and it's documented, and we are very aware of it.

6 AUDIENCE: A large portion of Akin Park on the
7 north end, which is the part that's really identified
8 in this map, is all rental property. Do you send
9 these to the address or do you send them to the owner
10 of the property I guess is my question.

11 MS. TIERNEY: We send them to both. You
12 didn't get one?

13 AUDIENCE: She's in that area.

14 MS. TIERNEY: Are you an owner?

15 AUDIENCE: Renter.

16 MR. NOVAK: Should have gotten one. Make sure
17 you sign in. That sign-in sheet is going to put you
18 on the mailing list. So anybody who did not sign in
19 make sure you do. You didn't get one, you're going to
20 get one now.

21 AUDIENCE: Maybe I got it and didn't realize
22 what it was.

23 MR. NOVAK: A lot of people do that. Another
24 piece of junk mail and they toss it.

25 MS. TIERNEY: Sometimes if we had a former

1 residence name on it, it might have got kicked back.

2 AUDIENCE: A lot of our renters will say, oh,
3 junk mail. If it does goes to the owner, most of them
4 are absentee landlords. They're out of state and they
5 don't care.

6 MS. TIERNEY: That's what we're struggling
7 with too because we know that there are some landlords
8 and tenants and we want to reach both of them. They
9 need to know what they're dealing with.

10 MR. NOVAK: Now that you know, your neighbor
11 knows, bug the landlord.

12 AUDIENCE: We can't even find the landlord.

13 MR. NOVAK: We can't either. That's the
14 problem.

15 MS. TIERNEY: We do have some, several
16 investigators that are looking into that for us and
17 trying to come up with ways to find the right address.

18 MR. NOVAK: But there's no way that we can
19 come into the community and force you to sign, force
20 you to have the work done. Without that signature we
21 can't even look at your property. It's got to be from
22 the owner. We need the peer pressure. That's why
23 community groups, the media. Get that word out so
24 everybody knows what's going on.

25 A real good thing. I think I mentioned it

1 before, but listen Sunday morning 6 or 6:30. I forget
2 what time he said. All the radio stations are going
3 to have that program on. They'll cover, it's covering
4 a lot of what you heard today. Neighbors that did not
5 come, tell them to listen. That's the only way it's
6 going to work.

7 MS. TIERNEY: I really want to make sure that
8 we get to Kelly England and Dwayne Caldwell because
9 they have information about lead poisoning, lead
10 testing, how to get tested and what you can do. So
11 this is really an important part of the presentation
12 today. I would like to turn it over to them because I
13 know you guys are taking time out of your day. Kelly
14 will come up first.

15 MS. ENGLAND: Lead poisoning happens mainly by
16 ingestion or inhalation. Children under the age of
17 seven are the most susceptible because their blood
18 brain barrier is not in place and it allows the lead
19 to affect their brain. It also affects other organs.

20 When lead first enters the body, it enters the
21 blood stream. That is why it's important to test
22 children at a very young age because lead will peek at
23 about age two in their blood stream. As they get
24 older and their exposure lessens because they don't
25 have the hand to mouth activity, the level in the

1 blood will decrease. A lot of it will be excreted
2 through your waste and your body, but some will settle
3 in other organs. It can affect your kidneys, your
4 liver, your brain. Any organ, central nervous system
5 issues. They have linked lead poisoning to learning
6 disabilities, behavioral problems, ADHD.

7 The biggest problem with lead poisoning is at
8 low levels anything 10 micrograms per deciliter or
9 higher in your blood is considered by the CDC to be
10 lead poison. At levels of 10, 11, 12, 13, even up to
11 20 or a little bit higher, the child may have no
12 symptoms at all. So that's why it's difficult to
13 pinpoint it, but also why it's very important to
14 screen.

15 If your child is enrolled in our WIC program
16 or Head Start, both of those groups do an excellent
17 job of screening.

18 We work with Head Start on an ongoing basis
19 during enrollment period to get children screened.

20 Our WIC Clinic screen routinely and they tend
21 to catch the children at about 18 months of age, which
22 is excellent. So we identify a lot of children
23 through that program.

24 If a child is found to have a blood lead level
25 of 10 micrograms per deciliter or higher, and

1 typically and it's just a finger stick. So we start
2 out with that. Any finger stick that's higher than
3 ten, we bring the child in and draw blood from their
4 arm because that is a better sample. A finger stick
5 can be little bit contaminated, especially if they're
6 in an environment where there is lead. There can be
7 some dust contamination on their fingers.

8 We draw it from their arm to confirm that they
9 have a high blood lead level. The health department
10 will go into the home with their permission and the
11 nurse will talk to them about dietary things that they
12 can do to reduce their lead level. Housekeeping
13 issues, things like that. Then our environmental
14 division goes in and does a risk assessment inside the
15 home on surfaces. Dwayne will talk a little bit more
16 about that.

17 Try to pinpoint hopefully the source and then
18 work with the tenant or owner to reduce their
19 exposure. Then we follow up with blood lead levels
20 according to CDC guidelines. Usually it's three
21 months or six months. I usually hound people pretty
22 hard to keep up their follow-up lead levels because we
23 want to start seeing that level come down.

24 Right now we have about 34 active cases and we
25 would probably have more, but our screening numbers

1 are relatively low. We try to work with physicians to
2 get them to screen more children. I think if our
3 screening numbers went up, our poisoning numbers would
4 also go up. We want to be a helping agency and do
5 everything we can to help you once your child is
6 identified.

7 If a child has a level of 8 or 9 or 7, below
8 10, we also try to educate the family on the fact that
9 there probably is some exposure there. So ways to
10 help keep that level from going up.

11 Then we always recommend that if you live in a
12 home built before 1978 have your child screened every
13 year just to be sure. Just because at age 2 their
14 level was a four or less than four, that doesn't mean
15 that at three or four years old that it will still be
16 low. Most of the poisonings that I talked to the
17 family, you know, does the child put a lot of stuff in
18 their mouth. They almost all say, always. The child
19 chews on everything.

20 So the dust in the house and the soil brought
21 into the house goes onto their toys, their hands,
22 their food, everything. So they're constantly being
23 exposed to that. So that's where most of it comes
24 from.

25 We do have a table set up outside the door

1 with some literature if you want. My card is out
2 there. If you're interested in calling us and being
3 screened, it's no charge.

4 Like I said we do focus on children less than
5 seven, but we will screen anyone that would like to be
6 tested.

7 Any questions about testing?

8 (NO RESPONSE)

9 MS. ENGLAND: Turn it over to Dwayne.

10 MR. CALDWELL: Good morning you all. Glad to
11 see you come out and ask questions and give your input
12 because you guys have information on situations out
13 there in the communities that the locals, the state
14 and the federal government don't have. So thanks for
15 doing that.

16 I'm an environmental health specialist. That
17 means I took a bunch of classes. I took a big long
18 test that they don't pay me any more than anybody
19 else, but that's my speciality.

20 Anything having to do with environmental
21 impact or public health is pretty much our bailiwick.

22 One of the best things I love to do is lead.
23 Because when I usually come to a house I'm going to
24 make somebody do something they don't want to do or
25 I'm going to cost them money. You can tell I'm a real

1 popular guy around town. But with lead I can go in
2 there. I can find out how a child is being poisoned
3 and I can give that little child a better future.

4 Like Kelly was saying, this stuff is going to
5 hurt their behavioral problems. It's going to hurt
6 their IQ. They're going to have less earnings.
7 They're going to have less opportunities, but if Kelly
8 can test them and locate them, if I can go in and help
9 protect them, that kid has a whole brighter future.
10 You've got to feel good about that.

11 Here's the pitch. We've got federal. We've
12 got state. We've got local all working together. But
13 it's a four legged stool and we need you guys helping
14 out too. So, please, get those access things back.
15 Please get some information in.

16 So that's the sermon. Everybody ready for the
17 information?

18 It's going to take a while to get all this
19 going. So between now and then that lead in the soil
20 is still going to be there. To be straight with you,
21 getting rid of that lead in the soil is going to take
22 a big factor out of lead poisoning around here, but
23 it's not going to remove them all.

24 Like Kelly was saying, we still have the lead
25 paint. We still have stuff coming in from China. We

1 still have Hispanic population has some folk remedies
2 that are basically powdered lead. We have old dishes,
3 thing like that, painted with lead. There's a lot of
4 ways a child can be exposed.

5 Here's what we want to do. We want to help
6 you with that.

7 Basically protecting yourself is going to boil
8 down to two things. First is housekeeping. Second is
9 hygiene.

10 Talking about protecting yourself through
11 housekeeping home maintenance is a big one. Leaded
12 paint if it's intact does not represent a danger to
13 you. If it's on the wall and it's not flaking or
14 peeling or chalking, that's fine. It's not going to
15 hurt you. So you have to monitor your dwellings and
16 your out-buildings, that kind of thing. Make sure
17 that it's not coming off because that's when it
18 becomes dangerous. When it does start to come off,
19 we're going to use lead safe work practice. I can
20 help you understand what those are so that you're
21 going to protect yourself and you're going to protect
22 the environment, protect those around you when you're
23 fixing them. Just simple home maintenance is going to
24 be a big factor.

25 Then there's home cleaning. Soil, you know,

1 as if you live near a road or anything gets airborne
2 and it settles in the house. Like Kelly was saying,
3 the kids are going to get it on the hand and get it in
4 the mouth. So regular house cleaning. I'm talking
5 mopping and damp dusting, those kind of things are
6 going to help take care of that. Soil is not the only
7 source for leaded dust. We also have windows and door
8 frames. Friction points we call them. Those things
9 are typically painted with a higher amount of lead in
10 paint because that made it very, very durable. That
11 was the more expensive because it took a beating and
12 it needed to stand up to it.

13 Now every time that window that's sticking
14 goes up and down or every time that door that doesn't
15 sit right in the frame you open and close, micro dust
16 is being created and that dust settles out and it's
17 leaded just like the stuff in the soil. So that's why
18 the cleaning is so important. It's also very
19 important to make sure you're monitoring those doors,
20 windows, kitchen cabinet doors and those things. If
21 they're sticking or have some friction, repair them.
22 Repair or replace. We'd really like to see a lot of
23 windows replaced now. We just don't have the time or
24 money to do that kind of thing unfortunately. That's
25 housekeeping.

1 Then there's hygiene. When I'm talking about
2 that, hand washing is the biggest thing. Hand washing
3 before the kids start to eat. Hand washing before
4 they go to bed because you know as soon as they hit
5 the little pillow and start dreaming about whatever
6 little kids dream about, those little fingers, they go
7 right into the mouth and they start sucking on them.
8 Pretty soon whatever is on those fingers is in the
9 mouth and they get lead poisoning. We don't want
10 that. So hand washing is extremely important.
11 Bathing is very important. Just keeping everybody
12 clean, that is going to keep that dust and
13 contamination off of it.

14 Then there's a whole idea of diet. Lead is a
15 very curious thing. Your body looks at it and it sees
16 calcium. That's why lead is deposited in bones and
17 teeth. It has the same chemical balance if I remember
18 reading correctly.

19 So if your child is getting plenty of yogurts
20 and cheeses and milks, plenty of calcium, it's not
21 going to take up as much lead. If they're getting
22 good healthy, you know, snacks that keep them filled
23 up, the body is not going to absorb as much lead. If
24 they have a high fat diet, that's going to help. So
25 making sure they eat healthy is very, very important.

1 So those are the two ways that you can most
2 have the biggest impact. The housekeeping, you know,
3 the maintenance and the cleaning, and the hygiene.
4 Once again the bathing and hand washing and the diet.

5 Certainly, you know, I'm going to back up what
6 Kelly said 100 percent. If you have a child,
7 especially below seven, they should be tested yearly.
8 I mean your tax money is already paid for it. Why not
9 take advantage of it. Call her up and have your child
10 tested. Go in and have yourself tested.

11 Unfortunately for old folks like us the damage has
12 pretty much done which explains me a lot of the time.

13 Go and have it tested. Write down my
14 telephone number here which is 435-5695. If you have
15 anything that is environmentally related, I'm not an
16 expert on bloods and stuff like Kelly, nurses like
17 that, but I'm pretty good when it comes to
18 environmental stuff.

19 If you have any questions, you have maybe an
20 old piece of furniture or something you want to check,
21 you know, we can work that out and get it done for
22 you.

23 Just a real quick story along those lines. We
24 had up in McCutchinville, Daddy a doctor, Mommy a
25 nurse. They went to an antique store and bought this

1 old trunk. They liked it because it had this pretty
2 cracking pattern in the paint. See, lead paint tends
3 to do what we call gattoring. That's crack in a
4 rectangular pattern. They saw that and thought it was
5 very pretty. So they took the trunk home and used it
6 as a toy box. So every time that lid came up and
7 down, lead dust was created and got on the toys, toys
8 got on the mouth, child was poisoned. These are some
9 very upscaled folks. They just unfortunately weren't
10 aware.

11 So if you have something like that you'd like
12 to have checked, you know, if you want to drop off a
13 paint chip or two at the office, I'd be glad to shoot
14 it with an XRF. Find out if it is. I really want to
15 help you guys out because I want to help out your kids
16 grand kids. They're going to grow up and they're
17 going to make society a better place, right?

18 435-5695, give me a call. I've got some nifty
19 little fliers here. One side is about soil and lead
20 hazards. Talks about what to do with soils and
21 gardening, that kind of thing. The other side talks
22 about cleaning and how to do that efficiently so you
23 can get rid of the lead dust.

24 So with that any question I can answer for you
25 or are you tired of me talking already?

1 Make sure you grab one of these because it
2 does have the cleaning instructions and soil. I think
3 that will help you out a lot. Thanks for your time.

4 MS. TIERNEY: We can take more questions, but
5 now is the time when we give you the opportunity to
6 make a statement or tell us your concerns, give us
7 your comments. We can pass the microphone around or
8 you can just speak out. If you prefer not to get up
9 and talk right now, you always have the option of
10 writing down your comments and mailing them to us or
11 faxing them to us or sending us an e-mail.

12 Does anyone have any concerns they want to put
13 on the public record or any comments?

14 You can take your time and think about it.
15 You can always send us written comments too. You have
16 until July 10 to send in the comments.

17 AUDIENCE: One of the things that I've been
18 curious about since I first started reading about
19 this, which I think was in middle of the 1990's, I
20 think the woman's problem back here. She moved into
21 an area getting out of a problem. She bought into a
22 problem.

23 Then another gentleman made the comment about,
24 you know, we don't live in a police state. I'm happy
25 that that's the case so far. I'm curious as to why we

1 haven't done more to keep kids from moving into this
2 first area at least. It seems like there's more and
3 more lead poisoning that's going on that could have
4 been avoided by just simply making sure that kids
5 weren't moving into that neighborhood.

6 MS. TIERNEY: Did you have a comment?

7 AUDIENCE: There is a group that I'm aware of
8 that will be trying to organize - (inaudible). So if
9 anybody is interested I will take your name and phone
10 number and I'll address it. I can make sure you get
11 on a list after you send out the mailing. There is a
12 group that's going to be trying to help with people
13 reading their mail. Making sure and remind them of
14 that.

15 MS. TIERNEY: Thank you.

16 AUDIENCE: Is there a component during this
17 process that will tell the outreach of awareness
18 because several folks have mentioned that probably
19 should be more people aware. If there was any way or
20 any resources EPA has under Superfund that would
21 assist such as a group such as hers or any
22 environmental group or whatever that would help with
23 the out reach of awareness in getting the word out.
24 That's really peek should they go forward. As they're
25 going forward, and then the comment here at the close

1 is a lot of folks would like to say, hey, I wish I was
2 contacted. I was just curious if there is any type of
3 resources that you all typically allocate toward the
4 out reach of awareness, education component?

5 MS. TIERNEY: I can talk to you afterwards
6 about that. Thanks for your comment. It's important.

7 AUDIENCE: Why are people refusing to come in
8 and what's their excuse?

9 AUDIENCE: Fear.

10 MS. TIERNEY: Some people don't want to know.
11 Some people are protective of their yards and just
12 don't want us messing around.

13 AUDIENCE: Most of the comments you hear from
14 people not signing the access agreements and sending
15 them back is, they're going to come in here and
16 disturb and they're not going to put it back like it
17 was. Somehow, some way I'm going to get billed for
18 this. That's what I hear more than anything.

19 MS. TIERNEY: Are there any more official
20 comments anyone wants to put in? We can continue the
21 discussion. I want to make sure everyone who wanted
22 to comment to comment.

23 MS. ENGLAND: Mary, one thing I forgot to say
24 is, if at any of your neighborhood association
25 meetings, if you would like for me to come and do

1 blood lead screening, I'm happy to do that. Call me.
2 If you have a neighbor who maybe is older who can't
3 get out and would like to be tested, someone who has a
4 lot of children and it's just difficult for them to
5 get out to the health department, I'll take my show on
6 the road. I'll come around to your home. We'll work
7 with you to do whatever we have to do to get you
8 screened.

9 MS. TIERNEY: Thanks.

10 I think we're done with the official comment
11 period. If you have more questions, we're happy to
12 answer them or you can stick around. You can check
13 the data base to see if your house or home is in the
14 area, but we'll be around here for awhile if anyone
15 has any more questions.

16 MR. NOVAK: Mary, I've got it. Send an
17 e-mail. Don't go to the internet. Go to your e-mail.
18 Send the thing to subscribe instead of join. You will
19 be automatically connected and signed up. Every time
20 we do something, you'll be the first to get it. Boy
21 is that fast. I don't get it typed and it's gone
22 already. Do sign up. That will be your quickest and
23 easiest way to get information. Again, my mistake.
24 That's my first mistake this year. Come on.

25 MR. NOVAK: Again, nudge your neighbors.

1 Biggest thing is the access agreements. We can't do a
2 thing without it. The more we get the more efficient,
3 the faster the project. We can all be happier. We
4 can just put happy faces.

5 Everybody here is the county and city and
6 else, Indiana Department of Environmental. If you
7 have individual questions, you want to chat with us
8 on, we're here. Call us up. Use that information
9 that's in the fact sheet. Bug the heck out of us.

10 Thank you very much. You guys have been very,
11 very good to us.

12 (Meeting ended at 11:50 a.m.)

13 -----

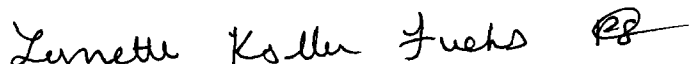
1 COMMONWEALTH OF KENTUCKY)
2) SS:
3 COUNTY OF DAVIESS)

4 I, Lynnette Koller Fuchs, Notary Public,
5 State-at-Large, do hereby certify, that the foregoing
6 public hearing was taken by me at the said time, place
7 and for said purposes as stated in the caption; that
8 the public hearing was reported by me in stenotype and
9 electronically recorded and foregoing is a true,
10 correct, and complete transcript thereof.

11 I further certify I'm not a relative or
12 employee or attorney or counsel of any of the parties
13 hereto, nor a relative or employee of such attorney or
14 counsel, nor do I have any interest in the outcome or
15 events of this action.

16 I hereby certify that the appearances were as
17 stated in the caption.

18 DATED THIS 15TH DAY OF JULY, 2009.

19 
20 LYNNETTE KOLLER FUCHS
21 OHIO VALLEY REPORTING SERVICES
22 202 WEST THIRD STREET, SUITE 12
23 OWENSBORO, KENTUCKY 42303

24 COMMISSION EXPIRES: DECEMBER 19, 2010

25 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

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